



DOUGLAS A. DUCEY
GOVERNOR

STATE OF ARIZONA
OFFICE OF THE GOVERNOR

EXECUTIVE OFFICE

April 17, 2018

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

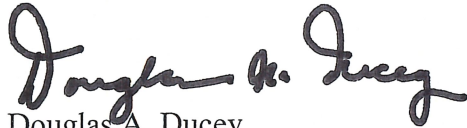
Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on April 17, 2018:

HB 2040 pharmacy board; definitions; reporting (Carter)
HB 2041 pharmacy board; licenses; permits (Carter)
HB 2065 public meetings; definition; penalties (Leach)
HB 2125 task force; towing safety (Shope)
HB 2126 government property; abatement; slum; blight (Leach)
HB 2249 protective orders; filing requirements (Farnsworth, E.)
HB 2250 physician assistants; prescribing authority; delegation (Carter)
HB 2257 radiation regulatory boards; repeal; DHS (Carter)
HB 2262 condominiums; termination; appraisals (Toma)
HB 2306 towing companies; insurance companies; owners (Campbell)
HB 2313 sentencing; monetary obligations; fine mitigation (Farnsworth, E.)
HB 2322 health insurers; provider credentialing (Carter)
HB 2327 federal officers; personal information; confidentiality (Farnsworth, E.)
HB 2334 liquor omnibus (Weninger)
HB 2411 health professionals; licensure; report (Mosley)
HB 2521 vehicle size, weight and load (John)
HB 2549 controlled substances; dosage limit (Carter)
HB 2550 contractor qualifications; work experience (Toma)
HB 2558 drug disposal; education (Cobb)
HB 2588 misrepresentation; service animals (Cook)

HB 2604 limited liability company act; revisions
SB 1065 commercial vehicles; ports of entry (Brophy McGee)
SB 1120 tax exemption; special events; nonprofits (Kavanagh)
SB 1152 education; appropriation; noncustodial federal monies (Allen, S.)
SB 1218 developmental homes; licensure; investigations (Brophy McGee)
SB 1264 gift cards; dormancy fee; prohibition (Yarbrough)
SB 1274 public monies; recovery; illegal payments (Petersen)
SB 1291 schools; pupil assessment data (Brophy McGee)
SB 1295 producer fees; insurance (Kavanagh)
SB 1400 aggravated DUI; sentence; county jail (Smith)
SB 1450 independent oversight committees; appointment; duties (Barto)

Sincerely,

A handwritten signature in black ink, reading "Douglas A. Ducey". The signature is fluid and cursive, with the first name "Douglas" being the most prominent.

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

Senate Engrossed House Bill

FILED

MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 245
HOUSE BILL 2558

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY
ADDING SECTION 9-500.42; AMENDING TITLE 11, CHAPTER 2, ARTICLE 4, ARIZONA
REVISED STATUTES, BY ADDING SECTION 11-269.22; AMENDING TITLE 36, CHAPTER
1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-123.01;
RELATING TO DRUG DISPOSAL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 9, chapter 4, article 8, Arizona Revised Statutes, is amended by adding section 9-500.42, to read:

9-500.42. Drug disposal programs; business assessments prohibited; restrictions; state preemption; definition

A. A CITY OR TOWN MAY NOT:

1. IMPOSE A TAX, FEE, ASSESSMENT OR CHARGE ON ANY CONSUMER OR OWNER OR OPERATOR OF A BUSINESS TO PAY FOR OR SUPPORT A DRUG DISPOSAL PROGRAM IN THE CITY'S OR TOWN'S JURISDICTION.

2. REQUIRE AN OWNER OR OPERATOR OF A BUSINESS TO ESTABLISH, PAY FOR OR OPERATE A DRUG DISPOSAL PROGRAM IN THE CITY'S OR TOWN'S JURISDICTION.

B. SUBSECTION A OF THIS SECTION DOES NOT PROHIBIT A CITY OR TOWN FROM USING OTHER GENERAL FUND MONIES FOR THE PURPOSE OF OPERATING A DRUG DISPOSAL PROGRAM.

C. THE ESTABLISHMENT OR REGULATION OF A DRUG DISPOSAL PROGRAM BY AN OWNER OR OPERATOR OF A BUSINESS THAT COMPLIES WITH STATE AND FEDERAL LAW AND RULES ADOPTED PURSUANT TO THOSE LAWS IS A MATTER OF STATEWIDE CONCERN AND IS NOT SUBJECT TO FURTHER REGULATION BY A CITY OR TOWN.

D. FOR THE PURPOSES OF THIS SECTION, "DRUG DISPOSAL PROGRAM" MEANS A PROGRAM TO COLLECT, TRANSPORT OR DISPOSE OF PRESCRIPTION DRUGS, INCLUDING CONTROLLED SUBSTANCES, NONPRESCRIPTION DRUGS, NEEDLES OR SHARPS THAT ARE NO LONGER WANTED BY THE OWNER OR THAT HAVE BEEN ABANDONED OR DISCARDED OR ARE INTENDED TO BE ABANDONED OR DISCARDED BY THE OWNER.

Sec. 2. Title 11, chapter 2, article 4, Arizona Revised Statutes, is amended by adding section 11-269.22, to read:

11-269.22. Drug disposal programs; business assessments prohibited; restrictions; state preemption; definition

A. A COUNTY MAY NOT:

1. IMPOSE A TAX, FEE, ASSESSMENT OR CHARGE ON ANY CONSUMER OR OWNER OR OPERATOR OF A BUSINESS TO PAY FOR OR SUPPORT A DRUG DISPOSAL PROGRAM IN THE COUNTY'S JURISDICTION.

2. REQUIRE AN OWNER OR OPERATOR OF A BUSINESS TO ESTABLISH, PAY FOR OR OPERATE A DRUG DISPOSAL PROGRAM IN THE COUNTY'S JURISDICTION.

B. THE ESTABLISHMENT OR REGULATION OF A DRUG DISPOSAL PROGRAM BY AN OWNER OR OPERATOR OF A BUSINESS THAT COMPLIES WITH STATE AND FEDERAL LAW AND RULES ADOPTED PURSUANT TO THOSE LAWS IS A MATTER OF STATEWIDE CONCERN AND IS NOT SUBJECT TO FURTHER REGULATION BY A COUNTY.

C. THIS SECTION DOES NOT PROHIBIT THE BOARD OF SUPERVISORS OF A COUNTY FROM COMPLYING WITH THE REQUIREMENTS OF SECTION 11-269.20 RELATING TO ESTABLISHING AT LEAST ONE LOCATION IN THE COUNTY FOR THE DROP OFF OF ANY LEGAL OR ILLEGAL DRUG OR SUBSTANCE AND DRUG PARAPHERNALIA.

D. FOR THE PURPOSES OF THIS SECTION, "DRUG DISPOSAL PROGRAM" MEANS A PROGRAM TO COLLECT, TRANSPORT OR DISPOSE OF PRESCRIPTION DRUGS,

1 INCLUDING CONTROLLED SUBSTANCES, NONPRESCRIPTION DRUGS, NEEDLES OR SHARPS
2 THAT ARE NO LONGER WANTED BY THE OWNER OR THAT HAVE BEEN ABANDONED OR
3 DISCARDED OR ARE INTENDED TO BE ABANDONED OR DISCARDED BY THE OWNER.

4 Sec. 3. Title 36, chapter 1, article 1, Arizona Revised Statutes,
5 is amended by adding section 36-123.01, to read:

6 36-123.01. Drug disposal education and awareness; controlled
7 substances; public-private partnership; fund

8 A. ON OR BEFORE JANUARY 1, 2019, THE DEPARTMENT SHALL ENTER INTO A
9 PUBLIC-PRIVATE PARTNERSHIP TO DEVELOP AN EDUCATION AND AWARENESS PROGRAM
10 REGARDING THE DISPOSAL OF PRESCRIPTION DRUGS, INCLUDING CONTROLLED
11 SUBSTANCES, NONPRESCRIPTION DRUGS, NEEDLES AND SHARPS. THE EDUCATION AND
12 AWARENESS PROGRAM MAY INCLUDE:

13 1. A WEB-BASED RESOURCE THAT:

14 (a) DESCRIBES AVAILABLE DRUG DISPOSAL OPTIONS, INCLUDING DRUG
15 DISPOSAL TAKE-BACK SITES, DRUG DISPOSAL TAKE-BACK EVENTS, IN-HOME DRUG
16 DISPOSAL OPTIONS THAT RENDER PRODUCTS SAFE FROM MISUSE AND ANY OTHER
17 METHOD THAT COMPLIES WITH STATE AND FEDERAL LAWS AND THE RULES ADOPTED
18 PURSUANT TO THOSE LAWS.

19 (b) MAY REDUCE THE AVAILABILITY OF UNUSED CONTROLLED SUBSTANCES AND
20 MAY MINIMIZE THE POTENTIAL ENVIRONMENTAL IMPACT OF DRUG DISPOSAL OPTIONS.

21 (c) PROVIDES A LIST OF DRUG DISPOSAL TAKE-BACK SITES THAT MAY BE
22 SORTED AND SEARCHED BY NAME OR LOCATION.

23 (d) PROVIDES A LIST OF DRUG DISPOSAL TAKE-BACK EVENTS IN THIS
24 STATE, INCLUDING THE DATE, TIME AND LOCATION INFORMATION FOR EACH EVENT.

25 (e) DESCRIBES APPROPRIATE DISPOSAL METHODS FOR NEEDLES AND SHARPS
26 AND LOCATION SITES PROVIDING FOR DISPOSAL OF NEEDLES AND SHARPS.

27 2. EDUCATIONAL ACTIVITIES DESIGNED TO ENSURE CONSUMER AWARENESS OF
28 THE SAFE STORAGE AND EFFECTIVE DISPOSAL OF PRESCRIPTION DRUGS, INCLUDING
29 CONTROLLED SUBSTANCES, AND NONPRESCRIPTION DRUGS.

30 B. THE DRUG DISPOSAL EDUCATION AND AWARENESS FUND IS ESTABLISHED
31 CONSISTING OF MONIES DONATED OR CONTRIBUTED BY PRIVATE PERSONS OR
32 ORGANIZATIONS TO THE FUND. THE DEPARTMENT SHALL ADMINISTER THE FUND.
33 MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE
34 PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.
35 MONIES IN THE FUND SHALL BE USED TO PAY FOR THE COSTS OF ADMINISTERING THE
36 EDUCATION AND AWARENESS PROGRAM ESTABLISHED PURSUANT TO THIS SECTION.


APPROVED BY THE GOVERNOR APRIL 17, 2018

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 17, 2018


Passed the House February 21, 2018

by the following vote: 57 Ayes,

0 Nays, 3 Not Voting



Speaker of the House





Chief Clerk of the House

Passed the Senate April 5, 2018

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting


President of the Senate


Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill received by the Governor this

 day of , 20

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of _____

at _____ o'clock _____ M.

Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

~~This Bill received by the Secretary of State~~

this ~~day of~~ _____, 20_____

at _____ o'clock _____ M.

Secretary of State

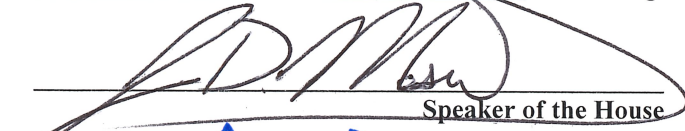
H.B. 2558

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 11, 20 18

by the following vote: 57 Ayes,

1 Nays, 2 Not Voting


Speaker of the House
John Dade
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

11th day of April, 20 18

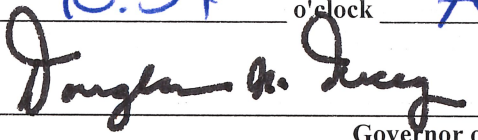
at 1:37 o'clock P. M.


Secretary to the Governor

Approved this 17th day of

April, 20 18,

at 10:54 o'clock A. M.


Governor of Arizona

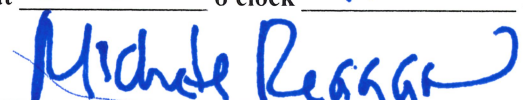
H.B. 2558

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 17 day of April, 20 18,

at 5:21 o'clock P. M.


Secretary of State